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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *11 January 2010*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-7,9-19 and 21-33* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-7,9-19 and 21-33* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/17/2009; 02/17/2010*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January

11, 2010 has been entered.

Response to Amendment

2.   Claims 1, 14, and 25 have been amended. Claims 8 and 20 have been

canceled. Claims 1-7, 9-19, 21-33 are pending and are provided to be examined upon

their merits.

Response to Arguments

3.   Applicant's arguments with respect to claims 1-7, 9-19, and 21-33 have been

considered but are moot in view of the new ground(s) of rejection. Nevertheless, a

response below is provided in **bold**.

**Applicant argues claim 1:**
        Independent claim 1 has been amended to recite "said customer entering
        transaction data into said data-input document to record <u>information</u>
        <u>corresponding to a specific money-transfer transaction between said customer</u>
        <u>and said beneficiary , said information</u> including." Furthermore, claim 1 has been

amended to recite the money-transfer system "generating a unique fund-pick-up
code corresponding to said specific money-transfer transaction; and providing
said customer with a said unique fund-pick-up code" and "said customer
subsequently providing said beneficiary with said unique fund-pick-up code."
Independent claims 14 and 25 have been similarly amended.

The method recited in amended claim 1 is not taught or suggested in the cited
art. In the Office Action, the Examiner asserts that Gallagher alone teaches all of
the claim elements except a unique pick-up code. However, the Examiner argues
that Gallagher teaches a confirmatory query which arguably itself would be a
unique pick-up code. Moreover, the Examiner argues that Ito teaches a security
key that is a password between a remitter and a receptor and that a third party
would not have access to.

Applicant has reviewed the Gallagher and Ito references and believes that
neither of these references, alone or in combination, teaches or suggests a
unique fund-pick code corresponding to a specific money-transfer transaction
between a customer and a beneficiary initially generated and given to the
customer by a money-transfer company and subsequently provided to the
beneficiary by the customer. In accordance with the invention, a non-obvious
additional layer of security and control are provided to a customer transferring
funds to a beneficiary at a remote location that is not present in either of the cited
references, as discussed below.

**Applicant argues novelty of generating a unique fund-pick-up code and providing
a customer with the code. Gallagher teaches Fig. 2, refs. 130 and 140 below...**
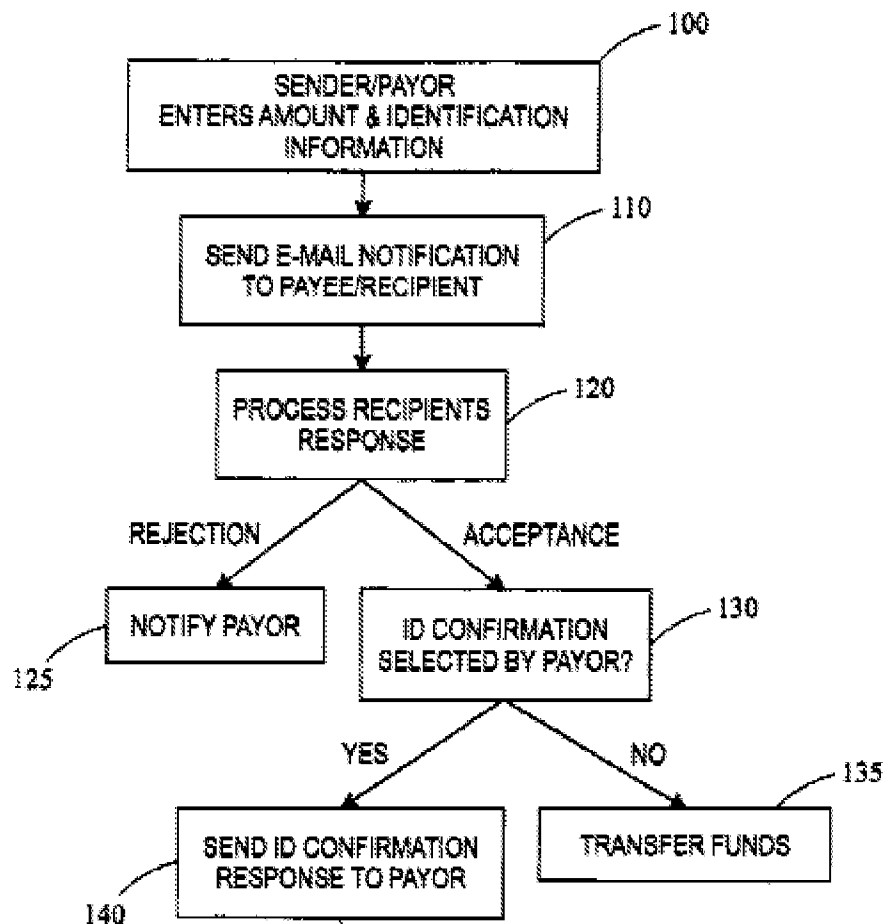
Gallagher also teaches Fig. 3, refs. 245 and 250:

Therefore, Applicants system generates a unique fund pick-up code and a customer provides the recipient with the code. Gallagher does not teach unique code or giving the code to a beneficiary.

From Applicant's comment above...

>>However, the Examiner argues that Gallagher teaches a confirmatory query which arguably itself would be a unique pick-up code.<<

The Examiner does not believe based on the above that Gallagher teaches generating a unique pick-up code. Gallagher teaches sending and receiving confirmation of an ID confirmation question. Also form above...

>>Applicant has reviewed the Gallagher and Ito references and believes that neither of these references, alone or in combination, teaches or suggests a unique fund-pick code corresponding to a specific money-transfer transaction between a customer and a beneficiary initially generated and given to the customer by a money-transfer company and subsequently provided to the beneficiary by the customer.<<

From Ito...

"The information includes an amount 501 to be sent, a remitter's address 502 being an electronic mail address of the remitter, receiptor's address 503 being an electronic mail address of the receiptor, identifier 504 being the number to identify a bill number and a transaction from the remitter to the receiptor, and <u>a security key 505 being a password used between the remitter and the receiptor, or being a cipher key in case a transaction is performed under encipherment. For the security key, for example, a random number sequence may be sent which is served as a seed for encipherment.</u>" (col. 4, lines 46-56)

Respectfully, Ito has a security key between a remitter and the receiptor. This is done with a random number sequence, which would be generated by a computer. This is done for a specific transaction...

FIG.5

AMOUNT	REMITTER'S ADDRESS	RECEIPTOR'S ADDRESS	IDENTIFIER	SECURITY KEY
$100.00	itou@abc.de.jp	store@fgh.ijk.us	abc01234	654321

501 502 503 504 505

However, Applicant has amended their claims to require a specific transaction and generating a unique fund pick-up code. New art is provided that teaches this.

Gallagher, as previously discussed in detail, discloses an Internet based system for effecting online financial transactions including a send money transaction

between a payor and a payee (Col. 7, lines 20-30). As shown in Fig. 3, Gallagher discloses the payor selecting an optional confirmation feature while entering information relevant to a send money transaction into an online form (Col. 7, lines 48-51). If the confirmation feature is selected, the payor must provide the system an identification query to be answered by the payee. The system supplies the payee with a link to an electronic document relating to the send money transaction and including the identification query (Col. 8, lines 5-8). Once the payee responds to the query, the payor is notified of the payee's response and, if the payor is satisfied with the payee's response, the payor responds to the system with his decision to accept the payee's response and his confirmation that the system should proceed with the transfer of money to the payee's account (Col. 8, lines 35- 38).

Therefore, Gallagher discloses the payor generating a confirmation query which is then supplied to the payee by the system using a link to an electronic document relating to the send money transaction. However, Gallagher does not disclose the confirmation query being generated by the system and subsequently being provided by the system to payor. Rather, Gallagher teaches the payor generating the confirmation query and the system subsequently providing the generated confirmation query to the beneficiary. Moreover, Gallagher does not disclose the payor generating a confirmation query that corresponds to a specific transaction between the payor and the payee. Rather, Gallagher discloses a single confirmation query that may be used multiple times for multiple transactions between the payor and multiple payees. Therefore, Gallagher does not teach or suggest a unique fund-pick code corresponding to a specific money-transfer transaction between a customer and a beneficiary initially generated and given to the customer by a money-transfer company and subsequently provided to the beneficiary by the customer as recited in amended claim 1.

Applicant points out Gallagher does not provide a confirmation query for a single transaction but rather multiple transactions and multiple payees. Respectfully, however, Ito teaches a unique pick-up code even if Gallagher does not.

Also from above...
>>However, Gallagher does not disclose the confirmation query being generated by the system and subsequently being provided by the system to payor. Rather, Gallagher teaches the payor generating the confirmation query and the system subsequently providing the generated confirmation query to the beneficiary.<<

The amended claims require generation of a pick up code. However, the claims do not require a system generating the code. Therefore a person could generate the code.

Ito also does not disclose the aforementioned limitations missing from Gallagher. Ito, as shown in Fig. 1, discloses an electronic money sending system comprising a communication network 14 connecting a first information processing unit 1 corresponding to a remitter, a second information unit 2 corresponding to a receptor and a money server 3 (Col. 3, lines 28-33). As shown in Fig. 5, Ito discloses a remittance standby request 501 transmitted from the remitter's information processing unit 1 including a security key 505. Similarly, as shown in Fig. 8, a separate remittance standby request 801 transmitted from the receptor's information processing unit 2 includes a separate security key 804. Ito disclose both security keys 505 and 804 being either a password used between the remitter and the receptor or a cipher key in case a transaction performed under encipherment (Col. 4, lines 51-56). Once the money server 3 has received the remittance standby requests 501 and 801 from both the remitter and the receptor, the money server 3 collates the information within the remittance standby requests and decides if it is proper to remit or not (Col. 5, lines 41-43).

Therefore, in the case that the security key is a password used between the remitter and the receptor, Ito discloses a security key that is generated by the remitter and is subsequently shared with the receptor. However, Ito does not disclose <u>the security key being generated by the money server</u> and <u>the money server subsequently providing the generated security key to the remitter.</u> Rather, Ito discloses both the remitter and the receptor providing the security key to the money server for the first time when a remittance standby request is transmitted to the money server. Moreover, Ito does not disclose <u>the generated security key being a unique security key corresponding to a specific money-transfer transaction.</u> Rather, since each remitter controls the generation of security keys, the same security key may be used by a single remitter for a multiple transactions and the same security key may be used by different remitters for different transactions.

Respectfully, from above Ito teaches:
"The information includes an amount 501 to be sent, a remitter's address 502 being an electronic mail address of the remitter, receiptor's address 503 being an electronic mail address of the receiptor, identifier 504 being the number to identify a bill number and a transaction from the remitter to the receiptor, and a security key 505 being a password used between the remitter and the receiptor, <u>or being a cipher key in case a transaction is performed under encipherment. For the security key, for example, a random number sequence may be sent which is served as a seed for encipherment.</u>" (col. 4, lines 46-56)

However, Ito also teaches a cipher key. Inherent in a random number sequence would be using a computer to generate the random number sequence. Nevertheless, new art is provided that teaches creating a unique code for a recipient.

> In the case that the security key is a cipher key, Ito discloses a cipher key that is generated by the first and second information processing units whenever they transmit a remittance standby request to the money server. The generated cipher key is used to encode a remittance standby request that is to be transmitted to the money server. The same cipher key is subsequently used by the money server to decode the transmitted remittance standby request. However, Ito does not disclose <u>the cipher key being generated by the money server</u> and the <u>money server subsequently providing the generated cipher key to the remitter.</u> Rather, Ito discloses the remitter and the receptor each providing different cipher keys to the money server each time a remittance standby request is transmitted to the money server. Moreover, Ito does not disclose any of the generated cipher key <u>being a unique security key corresponding to a specific money-transfer transaction.</u> Rather, each generated cipher key, by necessity, must corresponds to a single transmission of a remittance standby request from an information processing units to the money server.

Applicant emphasizes that cipher key is not generated by a money server and the money server dose not provide the cipher key to the remitter.

Also, the Examiner reminds the Applicant that...
> **In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., Ito's money server or an equivalent server of the instant applciation) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).**

The feature of generating a unique fund pick-up code should have an apparatus tied to the generating step. This would also help to distinguish this over the prior art and make it clear that a person could not generate the code.

> Accordingly, Gallagher and Ito, individually or in combination, do not teach or suggest a unique fund-pick code corresponding to a specific money-transfer transaction between a customer and a beneficiary initially generated and given to the customer by a money-transfer company and subsequently provided to the beneficiary by the customer as recited in amended claims 1, 14 and 25.

In view of the foregoing, Gallagher in combination with Ito does not result in or make obvious the present invention, as recited in independent claims 1, 14 and 25. Moreover, the Ranjan and Jennings references do not add anything to change this conclusion. It is therefore requested that the rejection of claims 1, 14 and 25, and the claims dependent thereon, be withdrawn.

The Examiner respectfully provides a new rejection below. Also, generating a unique code to be linked to an apparatus, otherwise a person could generate a unique code.

Claim Rejections - 35 USC § 101

4.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-7, 9-19, 21-23 and 31-32 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

According to the recent Guidelines issued by the Deputy Commissioner, in order for a method claim to qualify as a patent eligible process under 35 USC § 101, the process of the method claim must (1) be tied to another statutory class (such as a particular apparatus) or (2) transform underlying subject matter (such an article or materials) to a different state or thing.

In the instant case, some of the claim elements (steps) contain an apparatus, but the steps are either trivial or the apparatus is directed at an insignificant extra solution activity or both (e.g. transmitting an electronic data-input document via an electronic communications network is both trivial - transmitting – and uses an apparatus in an insignificant manner – the network does not affect or act on the data input document). Accordingly, the claimed invention fails to qualify as a statutory process under the Guidelines.

The applicant is requested to indicate where in the specification there is support for the amended claim.

Note: merely reciting a computer in the preamble does not meet the aforementioned requirement nor reciting a nominal process such as communicating data with a computer.

See also, In Re Bilski (2008, 545 F3d 943).

Claims 2-7, 9-13, 15-19, 21-23, and 31-32 are rejected because they depend from their respective independent claim.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6.   Claims 25-30 and 33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 25 recites "document means, for..., database means, for...and wherein said transaction data includes the amount of said sum money..., access means, for..., a data-input means... a transmission means, for... a fund-pick-up means, for..." There are two issues:

1. Use of means plus function language renders the claim indefinite because the specification fails to define the scope of the means plus function or any equivalent of that structure. In the absence of structure disclosed in the specification to perform the function, the claim lack specificity, rendering the claim as a whole indefinite.

Use of a generic computer to accomplish such tasks requires an algorithm. The CAFC has ruled (Aristocrat Technologies Australia Pty Ltd. v. International

Game Technology, 2008) that the means plus function language of the claim

lacked sufficient disclosed structure under 35 use 112(6) and therefore was

indefinite under 35 use 112(2).

2. Use of means-plus-function language cannot be further modified (see MPEP

2181, I (C) for 3-prong test), as is the case for example of claim 25

with"...database, means, for storing... and wherein said transaction data includes

the amount of said money..."

7.   Claims 25-30, and 33 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

8.   Claims 25-30 and 33 are rejected under 35 U.S.C. 112, second paragraph, as

being incomplete for omitting essential structural cooperative relationships of elements,

such omission amounting to a gap between the necessary structural connections. See

MPEP § 2172.01. The omitted structural cooperative relationships are: a unique fund-

pick-up code is generated where there is no component (e.g. processor, computer, or

server) that is capable of generating a code. A system needs to be provided with

hardware components with which the claimed functions can be carried out. As another

example, transaction data that includes an identification of a beneficiary is carried out,

but there is no hardware interface with which such data may be input into the system.

The system as described consists of an electronic network and a database for storing.

These two pieces of hardware are unable by themselves to perform any function.

Claims 26-30 and 33 are rejected because they depend from independent claim 25.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

10.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-7, 9-10, 12-17, 24-28, and 31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Patent No. 7,120,608 to Gallagher, et al., in view of U.S. Patent

No. 5,650,604 to Marcous et al.

Regarding applicant claim 1, 3, 14, 24 and 25,
       a.   A method of transferring a sum of money from a customer to a beneficiary
via a money-transfer service and an electronic communications network...
             Gallagher, et al., discloses:

             **"Systems and Methods for Implementing Person-to-Person Money
Exchange" (Title) and "...systems and methods for effecting online**

financial transactions between individuals or between individuals and entities such as banks, merchants and other companies." (col. 1, lines 52-55);

b.   said customer accessing said money-transfer service via said electronic communications network…

"…user accesses a fund exchange server to establish an online account, which is used to transfer funds…" (col. 1, lines 57-60). Access can be via desktop computer, which can be an internet access device (col. 4, lines 46-52).

c.   transmitting a data-input document from said money-transfer service to said customer via said electronic communications network…

The fund exchange server (money-transfer service) provides the user (customer) one or more web pages for establishing accounts and initiating transactions (col. 5, lines 45-50).

d.   said customer entering transaction data into said data-input document to record information corresponding to a specific money-transfer transaction between said customer and said beneficiary, said information including the amount of said sum of money to be transferred, an identification of said customer, an identification of said beneficiary, and basic payment data for said money-transfer service to use in collecting said sum of money…

The payor (customer) "…is prompted to enter an amount of funds for transfer and identification information for the recipient…" (where the recipient is the beneficiary) (col. 7, lines 33-40). Information can also include the sender's (identify the customer) name (col. 7, lines 60-65). Basic payment data, such as credit card information, is also provided when the account is established (col. 5, lines 64-67 and col. 6, lines 1-3).

e.   said money-transfer service collecting said sum of money in accordance with said basic payment data…

Funds are transferred to an online account from a funding account based on basic payment data (col. 5, lines 64-67 and col. 6, lines 1-3).

f.   generating a unique fund-pick-up code corresponding to said specific money-transfer transaction; and

See Unique Code below

f.   providing said customer with said unique fund-pick-up code…

See Unique Code below

g.   and subsequently providing said beneficiary with said unique fund-pick-up code…

See Unique Code below

Gallagher, et al., discloses additional system information including:

      i.   a fund exchange system that includes an electronic communication network (col. 4, lines 32-36).

      ii.   fund exchange server connected to the communication network (Fig. 1).

      iii.   pages and forms provided by a fund exchange server for transmitting (from customer) and receiving (to beneficiary) transaction documents (Figs. 3 and 5).

      iv.   a database for storing information and data (col. 5, lines 64-66).

      v.   client (customer and beneficiary) devices connected to a communication network (col. 4, lines 32-36); access provided by computers and cell phones (col. 4, lines 48-52).

Unique Code
Gallagher et al. teaches a password between a remitter and a receiptor or a cipher key. Gallagher et al. also teaches PIN numbers. Gallagher et al. does not teach generating a unique code for a transaction, where a customer receives the code a and gives the code to a beneficiary.

Marcous et al. teaches:

"According to the preferred embodiment of the present invention, the present <u>system provides the sender with a system-generated PIN</u> which <u>must be communicated by the sender to the recipient</u> as part of the security information the <u>recipient will need to obtain the transferred funds.</u>" (col. 4, lines 11-15)

"The <u>recipient, after obtaining from the sender the appropriate security information</u>, preferably: 1) the sender's phone number, 2) the amount of money transferred and, 3) <u>the system-generated PIN issued to the sender by the initiating terminal</u>, then goes to an ATM which has electronic funds transfer capability as described herein. According to the preferred embodiment of the present invention, and further discussed below, such ATM has been programmed to accept input from a user without the user needing to use a card of any type. As a result, the recipient interacts with the ATM, without using a card, to activate the appropriate menus. The <u>recipient inputs the information as requested by the ATM screens and the cash is dispensed to the intended recipient.</u>" (col. 4, lines 16-29)

"Initiating terminal 110 preferably requests certain information from the sender, such as what amount of principal is to be transferred, and a security code to be associated with the transaction. Such security code is preferably a phone number, including the area code, but may also be another unique number such as a social security number or fanciful choice of the sender. Initiating terminal 110 preferably encrypts the security code input by the sender. The amount of principal and the encrypted security code are preferaby a part of a key used by system 100 of the present invention to create the system-generated access PIN. By encrypting the sender's security code, and using it in the algorithm to create the system-generated PIN, the transaction is secure." (col. 5, lines 22-35)

It would have been obvious to one of ordinary skill in the art at the time of invention to include in the PIN and password system of Gallagher the ability to generate a PIN for obtaining funds for a transaction as taught by Marcous et al. since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Regarding claims 2 and 26: The method of claim I wherein said electronic communications network includes the Internet, and the step of accessing said money-transfer service includes transmitting an access request from said customer to said money-transfer service via said Internet.
   Gallagher provides that a fund exchange server is connected to a communication network that can include the internet (col. 4, lines 36-39).

Regarding claims 4 and 15: The method of claim 3 further including said customer having an IP (Internet Protocol) address and said money-transfer service recording said IP address in response to said customer accessing said money-transfer service.
   Gallagher, et al., provides communication using the Internet by the payor (customer) with the fund exchange server which would require the fund server recording in some manner the payor's IP address (Microsoft Computer Dictionary, Microsoft Press, 5th Ed., 2002 pg. 287).

Regarding applicant claims 5 and 16: The method of claim 4 further including said money-transfer service creating a transaction record including said IP address, said transaction data and said unique fund-pick-up code.
   Gallagher, et al., discloses that the user provides an e-mail address, mailing address, and/or "other information" as may be necessary, including transaction data, such as "amount to sent" (col. 5, lines 58-61 and Fig. 3). While an IP address is not specifically mentioned, it could be part of "other information" used to identify the customer.

Regarding claims 6 and 17: The method of claim 5 further including said money-transfer service transmitting a transaction confirmation request to said customer via said Internet.

>**Gallagher, et al., provides that payor (customer) "...is notified, preferably by an electronic message, that the payee has responded to the identity confirmation query." (col. 8, lines 23-26).**

Regarding claim 7: The method of claim 6 wherein said electronic communications network includes the PSTN (Public Switched Telephone Network), and further including said customer contacting said money-transfer service via said PSTN to obtain said unique fund-pick-up code.

>**Gallagher et al., discloses user (customer) can use a cell phone (col. 4, lines 48-52) as well as a computer. It is well known in the art that cell phones and computers can use the PSTN.**

Regarding claims 9, 10, 12, and 13:
(9) The method of claim 8 wherein the step of said customer contacting said money-transfer service via said PSTN includes said customer informing said money-transfer service of additional payment data.
(10) The method of claim 9 wherein said basic payment data includes an identification of a customer account at a payment institution, and the step of informing said money-transfer service of additional payment data includes revealing a unique payment code associated with said customer account.
 (12) The method of claim 8 wherein the step of said customer entering data includes entering additional payment data.
(13) The method of claim 12 wherein said basic payment data includes an identification of a customer account at a payment institution, and the step of entering
additional payment data includes entering a unique payment code associated with said customer.

>**Gallagher et al., allows that user can request additional money transferred to online account, by providing information such as account number, password, PIN number, etc. (col. 6, lines 26-32).**

Regarding claim 27: The system of claim 26 wherein said Internet-access apparatus includes a web browser and a display, said money-transfer service includes a web-based server, and said document means includes means for transmitting said transaction documents as HTML (Hypertext Markup Language) documents capable of being rendered on said display via said web browser.

>**Gallagher et al., disclose that client devices include browsing programs (col. 4, lines 52-58) used on a monitor with a GUI interface (col. 4, lines 58-65). Also, "...content is typically presented to the user as a web page**

**formatted according to downloaded JavaScript code and HTML code..."
(col. 5, lines 31-34).**

<u>Regarding claim 28:</u> The system of claim 27 wherein said electronic communications network includes the PSTN (Public Switched Telephone Network) and each of said customer communication systems includes a DTMF (Dual-Tone, Multiple Frequency) access device connected to said PSTN...
Cell phones can contain DTMF (defined by phonescoop.com/glossary).

<u>Regarding claim 31:</u>
The method of claim 1, comprising said beneficiary using said unique fund- pick-up code to acquire a financial instrument representing said transferred sum of money.
The combined references teach ATM. They do not teach a financial instrument representing a sum of money.

Marcous et al. however, also teaches:
"Regardless of the input terminal selected (telephone, personal computer, ATM, etc.), the initiator uses a card to make funds available from a financial account corresponding to the card. Such card could be a credit card, debit card, smart card or stored value card." (col. 3, lines 49-51)

It would have been obvious to one of ordinary skill in the art at the time of invention to include in the money transfer of the combined references the use of stored value cards as a financial instrument for transferring money since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

11.   Claims 11, 18, 19, 21-23, 29, and 30 are rejected under 35 U.S.C. 103(a) as

being unpatentable over the references as combined in section (10) above, in further

view of Pub. No. US 2002/0029193 to Ranjan and Shah.

<u>**Regarding claims 11, 18, 19, 21-23, 29, and 30:**</u>
Although Gallagher, et al., discloses a cell phone, he <u>does not disclose verbal communication or a method where the phone number is automatically provided (AIN).</u>
Ranjan and Shah, in the same field of endeavor, teach a payment process using telephones that include a caller ID (AIN to match with customer

**phone number) and voice capability (para. 39 and 45). Therefore, it would
have been obvious to one of ordinary skill in the art at the time of invention
to include an AIN and voice capability as disclosed by Gallagher and Ito, et
al., as combined above, motivated by Ranjan and Shah who use such a
caller ID and voice capability to enhance security and that these features
will augment the security disclosed in the combined reference in section
11, where enhanced security is important given that money transfer is
involved.**

12.   Claims 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable

over the references as combined in section (10) above, in further view of Patent No. US

5,659,165 to Jennings et al.

<u>Regarding claim 32:</u>
The method of claim 1, comprising said customer entering into said data input
document a currency type used by said customer and a currency type used by said
beneficiary.
> **The combined references teach a person-to-person money exchange,
> where monies are transferred between parties. They do not teach inputting
> a customer and beneficiary currency type.**

> **<u>Jennings et al. in the business of money transfers teaches:</u>**
> > **"For example, if the <u>customer wishes to transfer an amount from an
> > English account (based on pounds) to a French account based on
> > French francs)</u>, the customer can indicate the customer's preference
> > for the currency in which they will specify the amount to be sent. For
> > example, a screen such as the one shown below may be displayed to
> > the customer <u>where the data elements curr.sub.-- desc1 and
> > curr.sub.-- desc2 correspond to textual descriptions of the
> > respective currencies used in the source and destination countries:</u>"
> > (col. 12, lines 57-67)**

> **It would have been obvious to one of ordinary skill in the art at the time of
> invention to include in the money transfer of the combined references the
> ability to input a source and destination currency for different currencies
> since the claimed invention is merely a combination of old elements, and in
> the combination each element merely would have performed the same
> function as it did separately, and one of ordinary skill in the art would have
> recognized that the results of the combination were predictable.**

Regarding claim 33:
The system of claim 25, wherein said transaction data further includes a currency type
used by said customer and a currency type used by said beneficiary.

> **The combined references teach a person-to-person money exchange,
> where monies are transferred between parties. They do not teach inputting
> a customer and beneficiary currency type.**
>
> **Jennings et al. in the business of money transfers teaches:**
>> **"For example, if the customer wishes to transfer an amount from an
>> English account (based on pounds) to a French account based on
>> French francs), the customer can indicate the customer's preference
>> for the currency in which they will specify the amount to be sent. For
>> example, a screen such as the one shown below may be displayed to
>> the customer where the data elements curr.sub.-- desc1 and
>> curr.sub.-- desc2 correspond to textual descriptions of the
>> respective currencies used in the source and destination countries:"**
>> **(col. 12, lines 57-67)**
>
> **It would have been obvious to one of ordinary skill in the art at the time of
> invention to include in the money transfer of the combined references the
> ability to input a source and destination currency for different currencies
> since the claimed invention is merely a combination of old elements, and in
> the combination each element merely would have performed the same
> function as it did separately, and one of ordinary skill in the art would have
> recognized that the results of the combination were predictable.**

Conclusion

13.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

        Any inquiry concerning this communication or earlier communications from the

examiner should be directed to KENNETH L. BARTLEY whose telephone number is

(571)272-5230. The examiner can normally be reached on Monday through Friday,

8:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jagdish Patel can be reached on (571) 272-6748. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JAGDISH N PATEL/
Primary Examiner of Art Unit 3693